

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

Deborah S. Hunt
Clerk

100 EAST FIFTH STREET, ROOM 540
POTTER STEWART U.S. COURTHOUSE
CINCINNATI, OHIO 45202-3988

Tel. (513) 564-7000
www.ca6.uscourts.gov

Filed: May 28, 2015

Ms. Linda Dreeben
National Labor Relations Board
Appellate Court Branch
1099 14th Street, N.W.
Suite Suite 8100
Washington, DC 20570

Mr. Roderick D. Eves
United States Postal Service
Law Department
1720 Market Street
Room 2400
St. Louis, MO 63155-9948

Ms. Morgan Rehrig
U.S. Postal Service
475 L'Enfant Plaza, S.W.
Suite 6239
Washington, DC 20260-1127

Re: Case No. 15-1342, *NLRB v. USPS*
Originating Case No. : 07-CA-135950

Dear Sir or Madam,

The Court issued the enclosed (Order/Opinion) today in this case.

Sincerely yours,

s/Cheryl Borkowski

Case Manager
Direct Dial No. 513-564-7035

Enclosure

Mandate to issue

No. 15-1342

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

NATIONAL LABOR RELATIONS BOARD,)

Petitioner,)

v.)

UNITED STATES POSTAL SERVICE,)

Respondent.)

FILED

May 28, 2015

DEBORAH S. HUNT, Clerk

J U D G M E N T

Before: GIBBONS, McKEAGUE, and WHITE, Circuit Judges.

The National Labor Relations Board applies to enforce a consent order entered on a formal settlement stipulation against the Respondent, the United States Postal Service ("USPS"), its officers, agents, representatives, and assigns, on March 16, 2015, in Case No. 07-CA-135950. The record in that proceeding was certified and filed in this court. The USPS responds in support of the settlement stipulation.

It is **ORDERED** and **ADJUDGED** that the order of the Board be enforced and the Respondent, its officers, agent, representatives, and assigns, abide by and perform the directions of the Board set forth in the attached order of March 16, 2015.

ENTERED BY ORDER OF THE COURT



Deborah S. Hunt, Clerk

NATIONAL LABOR RELATIONS BOARD

v.

UNITED STATES POSTAL SERVICE

ORDER

United States Postal Service, Kalamazoo, Michigan, its officers, agents, successors, and assigns, shall

1. Cease and desist from
 - (a) Unreasonably delaying in furnishing the Union with relevant requested information, or in any other manner interfering with, restraining, or coercing its employees in the exercise of rights guaranteed in Section 7 of the Act.
 - (b) Unreasonably delaying in furnishing the Union with relevant requested information, or in any other manner refusing to bargain collectively and in good faith with the Union as the servicing agent of the exclusive collective-bargaining representative of the Unit or any other labor organization at its Kalamazoo, Michigan facilities as listed below in paragraph 2(b).
2. Take the following affirmative action necessary to effectuate the policies of the Act.
 - (a) Upon request, bargain collectively and in good faith with the Union as the servicing representative of the exclusive collective-bargaining representative for employees in the Unit employed at the Respondent's Kalamazoo, Michigan area facilities, as described below in subparagraph (b).
 - (b) Within 14 days of service by the Region, post copies of the attached notice marked as Appendix A at the following facilities:

Kalamazoo Arcadia Branch	310 East Michigan Ave, Kalamazoo
Kalamazoo P.O.	1121 Miller Rd, Kalamazoo
Kalamazoo Parchment Branch	839 Commerce Lane, Kalamazoo
Kalamazoo Westwood Branch	167 North Drake Rd, Kalamazoo
Oshtemo	3885 South 9th St, Kalamazoo

Copies of the notice, on forms provided by the Region Seven, after being signed by the Respondent's authorized representative, shall be posted by the Respondent and maintained for 60 consecutive days in conspicuous places, including all places where notices to employees are customarily posted. In addition to physical posting of paper notices, the Respondent shall distribute notices electronically, by email, posting on an intranet or internet site, and /or other electronic means, if the Respondent customarily communicates with its employees by such means. The Respondent will take reasonable steps to ensure that the notices are not altered, defaced, or covered by any other material.

- (c) Within 21 days after service of this order by the Region, file with the Regional Director a sworn certification by a responsible Respondent official attesting to the steps that the Respondent has taken to comply.

APPENDIX A

**NOTICE TO EMPLOYEES
POSTED BY ORDER OF THE
NATIONAL LABOR RELATIONS BOARD**
An Agency of the United States Government

**PURSUANT TO A STIPULATION PROVIDING FOR A BOARD ORDER
AND A CONSENT JUDGMENT OF ANY APPROPRIATE
UNITED STATES COURT OF APPEALS**

FEDERAL LAW GIVES YOU THE RIGHT TO:

- Form, join, or assist a union;
- Choose representatives to bargain with us on your behalf;
- Act together with other employees for your benefit and protection;
- Choose not to engage in any of these protected activities.

WE WILL NOT do anything to prevent you from exercising the above rights.

WE WILL NOT refuse to bargain collectively and in good faith with Southwest Michigan Area Local 143, American Postal Workers Union (APWU), AFL-CIO (the Union) as the servicing representative of the exclusive collective-bargaining representative of our employees in the following appropriate Unit at our Kalamazoo, Michigan facilities:

All employees in the bargaining Unit for which the American Postal Workers Union, AFL-CIO, has been recognized and certified at the national level, excluding managerial and supervisory personnel, professional employees, employees engaged in personnel work in other than a purely non-confidential clerical capacity, security guards as defined in Public Law 91-375, Section 1201(2), all Postal Inspection Service Employees, employees in the supplemental work force as defined in Article 7, Rural Letter Carriers, Mail handlers, and Letter carriers.

WE WILL NOT unreasonably delay providing necessary and relevant information requested by the Union to perform its responsibilities as the servicing representative of the exclusive collective-bargaining representative of

representative of our employees in the Unit or any other labor organization at our Kalamazoo, Michigan facilities.

WE WILL NOT in any like or related manner interfere with your rights under Section 7 of the Act.

WE WILL NOT in any other manner fail and refuse to bargain collectively and in good faith with the Union as the servicing representative of the exclusive collective-bargaining representative of our employees in the Unit at our Kalamazoo, Michigan facilities.

WE WILL, upon request, bargain collectively and in good faith with the Union as the servicing representative of the exclusive collective-bargaining representative of our employees in the Unit at our Kalamazoo, Michigan facilities.

UNITED STATES POSTAL SERVICE

The Board's decision can be found at www.nlr.gov/case/07-CA-135950 or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1099 14th Street, N.W., Washington, D.C. 20570, or by calling (202) 273-1940.

